

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

CR. NO. 15-MJ-2487

vs.

JULIO CESAR GUTIERREZ,

Defendant.

MOTION TO DISMISS CRIMINAL COMPLAINT

The United States of America, pursuant to Fed. R. Crim. P. 48, files this motion to dismiss the criminal complaint filed July 16, 2015, against Defendant **JULIO CESAR GUTIERREZ** in cause number 15-MJ-2487 , and as grounds therefore states that it is in the interests of justice that the criminal complaint be dismissed.

Defense counsel **Aric G. Elsenheimer** does not oppose this motion.

WHEREFORE, the United States respectfully requests this Court enter an order dismissing, without prejudice, the criminal complaint in this cause as to Defendant **JULIO CESAR GUTIERREZ**.

Respectfully submitted,

JAMES D. TIERNEY
Acting United States Attorney

Electronically Signed: 05/26/2017
KIMBERLY A. BRAWLEY
Assistant United States Attorney
Post Office Box 607
Albuquerque, New Mexico 87103

I HEREBY CERTIFY that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification to opposing counsel of record.

Electronically Signed: 05/26/2017

KIMBERLY A. BRAWLEY

Supervisory Assistant United States Attorney